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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

MALIBU MEDIA, LLC,

Plaintiff,

v.

REGINA SURGENT and JOHN DOES 1-18, 20,  
21, 23 and 25-46,

Defendants.

Civil Action No. 2:12-cv-03905-SRC-CLW

**PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL  
WITHOUT PREJUDICE OF JOHN DOE 1**

**PLEASE TAKE NOTICE**, Plaintiff hereby voluntary dismisses Defendant John Doe 1 ("Defendant") from this action without prejudice. Defendant was assigned the IP address 173.15.143.65. Plaintiff received the name and identifying information of this Defendant in this case and is unable to coordinate service of process to properly serve this Defendant. Plaintiff plans on further investigating and confirming the information provided by the Internet Service Provider and will re-file and serve the Doe Defendant if it deems necessary.

Pursuant to Fed.R.Civ.P. 41(a)(1)(A)(i) Defendant has neither answered Plaintiff's Complaint, Amended Complaint nor filed a motion for summary judgment.

Consistent herewith, Plaintiff consents to the Court having its case closed for administrative purposes.

Dated: May 17, 2013

Respectfully submitted,

By: /s/ Patrick J. Cerillo  
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**CERTIFICATE OF SERVICE**

I hereby certify that on May 17, 2013, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF and that service was perfected on all counsel of record and interested parties through this system.

By: /s/Patrick Cerillo